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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the World Federation of Democratic Youth, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[28 February 1997]

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GE.97-10907 (E)

1. The World Federation of Democratic Youth draws the attention of the fifty-third session of the Commission on Human Rights to the magnitude and scale of violence and fundamental rights violations in the urban centres of Sindh, the southern province of Pakistan. Fundamental rights conditions in this part of the world have been very deplorable during recent years, yet the international community paid little attention. The situation is especially dire in the main areas inhabited by Mohajirs (Muslims who migrated from minority provinces of India after the partition of the subcontinent into present Pakistan and India).

2. The World Federation of Democratic Youth notes that the major perpetrators of fundamental rights violations are the Pakistani law enforcement agencies and other militant groups largely believed to be sponsored by the Government, as the "Haqiqi" group. Reliable evidence indicated that the main victims of violence and fundamental rights violations are Mohajirs, in particular those who are active members or sympathizers of the Mohajir Quomi Movement-MQM, the political party led by Mr. Altaf Hussain.

3. In his report before this Commission (E/CN.4/1997/7/Add.2), the Special Rapporteur on torture devoted a whole section to the gruesome situation of fundamental rights in Karachi (Pakistan's main sea gate and capital of Sindh province). He estimated that over 1,800 people were killed in Karachi in 1995 alone in politically motivated murders. Although the rate of massive killings has decreased during 1996, the situation remains tense and may deteriorate anytime. The Special Rapporteur has also documented detailed accounts of gross violations of fundamental rights in Pakistan.

4. Areas of Sindh inhabited by Mohajirs such as Karachi, Sukkur, Hyderabad, Nawabashah, Mirpur and Khas have been witnessing serious violations of fundamental rights. A concerted campaign of harassment, torture and physical elimination was introduced on 19 June 1992 when the Government deployed six divisions of the Pakistani army in the Sindh region, including major metropolitan areas such as Karachi, in what is known as "Army Operation Clean-Up". In November 1994, the army withdrew and was replaced by a paramilitary force known as rangers. These paramilitary forces are under the direct supervision of the Federal Ministry of Defence.

5. However, the World Federation of Democratic Youth is concerned that the military operation is directed against a civilian population in densely populated areas. Since June 1992, ruthless atrocities have been perpetrated against civilians, especially Mohajirs, under the pretext of misleading disguises such as "combating terrorism", "counter-insurgency", etc. The security forces usually cordon off residential areas to harass and arrest people. Those identified as active members of the MQM, and sometimes their relatives or family members, are arrested, tortured or extrajudicially executed, in many cases within a few days of their arrest.

6. The second main cause of violence in Sindh is the sectarian activities of some violent groups widely believed to be armed by the Government such as the Haqiqi, which was reported to be responsible for some of the worst atrocities committed against members of the MQM. Acting with the Government's protection, Haqiqi has systematically harassed, tortured and eliminated members of MQM. In some isolated cases, other sectarian and religious

groups such as Sipah-e-Sahaba and the Tehrik-Jafria were held responsible for the escalation of violence in Karachi by firing at each others' religious sites, etc. The Government reportedly favours Sunni Muslims over other sects.

7. With the context of "Army Operation Clean-Up", it was estimated that at least 1 million Mohajirs were rendered destitute because their economic viability has been eliminated by the security forces. This paralysis occurs as Mohajirs are in hiding or are being detained as "acknowledged" or "unacknowledged" prisoners of the security forces. Since 1992, more than 15,000 Mohajir men, women and youth have been tortured, extrajudicially killed or maimed for life due to excessive use of force by the law enforcement forces and Government-sponsored armed groups. Large numbers of Mohajir women and girls were reportedly raped by the security forces and their support groups.

8. The list of persons unlawfully killed is quite long. One such incident took place in Karachi on 9 December 1995, when the security forces brutally tortured and extrajudicially executed Mr. Nasir Hussain (66) and his son Arif Hussain (28) within one week of their arrest. Their obvious crime was being the elder brother and the nephew of Mr. Altaf Hussain, exiled leader of the MQM who has lived in London since 1992. The tragic killing of Mr. Murtaza Bhutto, leader of the Pakistan People's Party (Shaheed Bhutto Group), by identified members of the security forces on 29 September 1996 is further evidence of the terrorizing state of violence unleashed by the Pakistani security forces on political opponents.

9. On 5 November 1996, the President of Pakistan dissolved the Government of Ms. Benazir Bhutto. In his address the President said that: "... during the last three years, thousands of people in Karachi and other parts of Pakistan have been deprived of their right to life ... no meaningful steps have been taken to put an end to the crime of extrajudicial killings which is an evil abhorrent to our Islamic faith and all canons of civilized government". Such recognition of the Government's responsibility for massive violations of fundamental rights by the head of State should be the first step towards acceptable observance and respect for fundamental rights. However, despite the President's denouncement, extrajudicial killings continued to take place in Karachi. No tangible measures to end violence and fundamental rights violations in Karachi were taken by the concerned authorities since the dismissal of the government of Ms. Bhutto.

10. The obligations under international law which Pakistan is bound to respect are contained in the international instruments to which it has adhered. First and foremost, as a member of the United Nations, Pakistan is bound by its Charter - it is obliged to respect fundamental rights and freedoms of all people within its territory. Furthermore, we strongly urge the Government of Pakistan to adhere to the two main documents of international human rights law, namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights and their Optional Protocols, which are yet to be ratified by Pakistan. It should also adhere to the International Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

11. Former Secretary-General Boutros Boutros-Ghali in his report entitled "An Agenda for Peace" (A/47/272-S/24111), identified the protection of human

rights as an important element of peace, security and economic well-being. The 1993 World Conference on Human Rights concluded that the protection and promotion of human rights is a legitimate concern of the international community. Accordingly, we urge the international community to ensure that the Pakistani authorities take effective measures to:

(a) Put an immediate end to all sorts of political violence in the urban centres of Sindh by addressing the root causes which led to the present situation and repeal all laws and practices which sanction the commission of human rights violations;

(b) Apply international human rights law in its territory, compensate the victims and try those found responsible for excessive use of force, violence and fundamental rights violations before competent and impartial courts of justice;

(c) Take immediate steps to establish a sincere dialogue with the aggrieved parties with a clear vision to reach a sustainable and peaceful political solution to the crisis in urban Sindh in order to ameliorate the situation of fundamental rights.

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